

**Town of Uxbridge
(Annual Fall) Town Meeting
November 15, 2005**

Pursuant to the foregoing Warrant, the inhabitants of the Town of Uxbridge, qualified to vote in the Town elections and in Town affairs, met at the High School Auditorium, in Precinct 2, in said Uxbridge, and transacted the following business:

The Moderator called the Meeting to order at 7:00P.M. A quorum was in attendance to vote on all articles in the warrant. Tellers appointed for the meeting were: Robert Pennell, Christine Horwath, David Moriarty, Brian Turenne, Barbara Hall, Dan Deveau, Steve Berube, Henry Kosiba and Jeanne Lovett as Head Teller. Time Keeper was Jeanne Lovett.

The meeting began with the Pledge of Allegiance to the Flag, followed by a brief update by Jane Keegan and Nancy Lyle from the Uxbridge's Future Committee. The Moderator had opening comments and read the standing rules of the meeting.

ARTICLE 1: Move to transfer from available FY06 budgeted accounts, according to the following schedule, such funds as to pay for the listed prior fiscal years bills: (Board of Selectmen)

Alm & Son (3 bills totaling)	\$67.50	Recreation Expenses
MA Electric (2 bills totaling)	\$92.22	Recreation Expenses
Foley Services	\$114.00	DPW Admin. Expenses
Simplex Grinnell (2 bills)	\$1,032.00	Blanchard Expenses
Commonwealth of Mass.	\$25.00	Building Dept. Expenses

Town Meeting Action: Moderator Declared 4/5th Majority Passed

ARTICLE 2: To see if the Town will vote to raise and appropriate from available funds, or approve budget reductions in order to balance the FY06 Town Budget, or take any other action related thereto. No action is required as sufficient revenues have been identified to fund the deficit in the School Dept. Budget. (Town Manager)

Town Meeting Action: No motion therefore no action

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums as to fund union settlements resulting from collective bargaining and further, to ratify those contracts, or take any other action related thereto. (Town Manager)

Town Meeting Action: No motion therefore no action

ARTICLE 4: Move to immediately transfer \$14,152 from Stabilization; \$2,813 from the Ambulance Fund; \$148 from the Water Enterprise Fund; \$148 from the Wastewater Enterprise Fund; and \$344 from the Cable PEG Access Receipts Reserve for Appropriation Account to fund salary adjustments for non-union staff to the following accounts: \$1,608 to Town Accountant Salaries; \$1,840 to Assessor's Salaries; \$87 to Selectmen/Town Manager Salaries; \$274 to Building Inspector Salaries; \$213 to Conservation Administrator Salaries; \$182 to DPW Admin Salaries; \$1,514 to Council on Aging Salaries; \$744 to Finance Director/Treasurer/Collector Salaries; \$2,813 to Fire Salaries; \$2,813 to Ambulance Salaries; \$605 to Highway Salaries; \$3,221 to Library Salaries; \$348 to Planning & Econ. Dev. Admin Salaries; \$148 to Wastewater Salaries; \$148 to Water Salaries; \$264 to Police Salaries; \$439 to Town Clerk Salaries; and \$344 to Cable PEG Access Salaries, to be administered at the discretion of the Town Manager, to become effective no earlier than 1/1/06. (Town Manager)

Town Meeting Action: Moderator Declared Defeated

ARTICLE 5: Move to transfer \$29,450 from the Cable PEG Access Receipts Reserve for Appropriation Account to the Cable PEG Access Expense Account, for equipment purchases and upgrades for Cable PEG Access use to be expended under the direction of the Town Manager. (Barry Giles, PEG Access Coordinator)

Town Meeting Action: Moderator Declared Unanimous Passed

ARTICLE 6: To see if the town will vote to amend Article #4 of the May 10, 2005 Annual Town Meeting by deleting the following:

NOTE: *Shaded italicized are to be deleted. Bold Underlined are to be added.*

“and to lease-purchase a sidewalk tractor for the DPW in five installments of \$28,312 to be paid annually at \$28,312 over a period exceeding five years (five) at a total cost of \$141,560 (including principal and interest), and to replace the Taft School Roof at ten annual payments of \$18,072 over a period exceeding three years (ten), at a total cost of \$180,720 (including principal and interest)” and to transfer back to the Stabilization Fund the amount of \$46,384 (\$28,312 and \$18,072); and further to vote to appropriate \$160,000 for the purpose of replacing the Taft School Roof and \$115,000 for the purpose of purchasing a sidewalk tractor for the Department of Public Works; and to meet this appropriation to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to \$275,000 under Chapter 44 of Massachusetts General Laws, or other enabling legislation, or take any other action relating thereto.(Cortney Keegan, Finance Director)

- Motion made to table Article 6

Town Meeting Action: Moderator Declared Unanimous Passed

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds such sums necessary to fund the “direct-purchase” portion of the second phase of the FY06 Capital Program (Equipment, Facility, and Program/Project), or take any other action related thereto. (Town Manager)

Commentary: The Capital Project Committee recommends the following:

<i>DEPT</i>	<i>DESCRIPTION</i>	<i>COST \$</i>
<i>Recreation Com.</i>	<i>Playground Restoration</i>	<i>\$40,000</i>
<i>Police Dept.</i>	<i>Cruiser</i>	<i>\$25,000</i>
<i>Fire Dept.</i>	<i>Forestry truck</i>	<i>\$50,000</i>

Town Meeting Action: No motion therefore no action

ARTICLE 8: To see if the Town will vote to appropriate \$320,000 for the purpose of building a Salt Shed for the Department of Public Works in the amount of \$200,000 and to acquire a front-end loader for the Department of Public Works in the amount of \$120,000; and to meet this appropriation the Treasurer is authorized, with the approval of the Board of Selectmen, to borrow under Chapter 44 of Massachusetts Laws, or other enabling legislation, for the second phase of the FY2006 Capital Improvement Program, or take any other action related thereto. (Town Manager)

Commentary: The Capital Project Committee recommends the following:

<i>DEPT</i>	<i>DESCRIPTION</i>	<i>COST \$</i>
<i>DPW</i>	<i>Salt Shed</i>	<i>\$200,000</i>
<i>DPW</i>	<i>Front-end Loader</i>	<i>\$120,000</i>

The borrowing for these projects is anticipated to incur annual debt of approximately \$52,000 or less; adhering to and fulfilling the original plan.

Town Meeting Action: Passover

ARTICLE 9: To see if the Town will vote to transfer the sum of \$34,000 from the Water Division Enterprise Fund to the Water Division Capital Outlay Account #650.450.5300.5.0004 for the purpose of cleaning and repairing the wells at the Blackstone Wellfield, or take any other action related thereto. (Larry Bombara, DPW Superintendent)

**The matter will be on the next town meeting warrant.*

Town Meeting Action: Passover

ARTICLE 10: Move to transfer \$55,700 to the School Department to fund the costs of the School Superintendent and Staff's relocation from the High School into private quarters and pay for the FY06 year's rent. (School Committee)

- *Motion made by the Finance Committee to amend Article 10 to raise and appropriate \$55,700 to the School Dept to fund the cost of the Superintendent and staff's relocation from the High School in to quarters and to pay for the FY06 year's rent.*

Town Meeting Action: Moderator Declared Simple Majority Passed

ARTICLE 11: Move the Town to raise and appropriate and/or transfer from available funds such sums as to fund a "Design Schematic" to yield comprehensive cost estimates and a timetable for the complete rehabilitation of the Blanchard Building; (The Board of Selectmen shall authorize) the Blanchard Reuse Committee to select the designer to prepare the "Design Schematic"; and reimbursement relative to the cost shall be made to the Town at such time as grant monies are received from private, public or government sources. (Board of Selectmen, Blanchard Reuse Committee)

- *Motion made by the Finance Committee to raise and appropriate \$40,000 to the Blanchard Expense Account to fund a "Design Schematic" to yield comprehensive cost estimates and a timetable for the complete rehabilitation of the Blanchard Building; and reimbursement relative to the cost shall be made to the Town at such time as grant monies are received from private, public or government sources.*

Town Meeting Action: Moderator Declared Simple Majority Passed

ARTICLE 12: Move that \$1,630,000 is appropriated for the acquisition by purchase, eminent domain or other means for school and associated recreational facilities a parcel of land totaling 7.28± acres known as the Zygmuntowicz land, and by outright purchase or other means for school and associated recreational facilities, a parcel of land totaling 28.63± acres known as a portion of the Lavallee land, all depicted on a plan titled "Proposed Acquisition Map" prepared by Heritage Design Group, One Main Street, Whitinsville, MA, dated August 8, 2005 and available for inspection in the Selectmen's office, including all costs associated with the acquisitions; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,630,000 under G.L. c.44 or any other enabling authority; that the Board of Selectmen is authorized to apply for, accept and expend any federal or state aid or grants and/or gifts of any kind available for the project; and that the Board of Selectmen is authorized, with due haste, to acquire such property by purchase, eminent domain or by other means and to take any other action necessary to carry out this project; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote. (Board of Selectmen and School Committee) *Note: Language approved by Bond Counsel*

Town Meeting Action: *Motion made for a secret ballot*

Town Meeting Action: Failed

Town Meeting Action: Moderator Declared 2/3rd Majority Passed

- *Motion to take Article 6 off the table*

Town Meeting Action: Passed

ARTICLE 6: Move to amend Article #4 of the May 10, 2005 Annual Town Meeting by deleting the following:

NOTE: *Shaded italicized are to be deleted.* **Bold Underlined are to be added.**

“and to lease-purchase a sidewalk tractor for the DPW in five installments of \$28,312 to be paid annually at \$28,312 over a period exceeding three years (five) at a total cost of \$141,560 (including principal and interest), and to replace the Taft School Roof at ten annual payments of \$18,072 over a period exceeding three years (ten), at a total cost of \$180,720 (including principal and interest)” and to take the following replacement actions: to transfer back to the Stabilization Fund the amount of \$46,384 (\$28,312 and \$18,072); and further to vote to appropriate \$160,000 for the purpose of replacing the Taft School Roof and \$115,000 for the purpose of purchasing a sidewalk tractor for the Department of Public Works; and to meet this appropriation to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to \$275,000 under Chapter 44 of Massachusetts General Laws, or other enabling legislation and the Board of Selectmen is authorized to take any other action necessary to carryout these projects. (Cortney Keegan, Finance Director)

Town Meeting Action: Moderator Declared 2/3rd Passed

ARTICLE 13: Move to transfer the care, custody and control of the parcel of land described below from the Treasurer/Collector to the Board of Selectmen for the purpose of leasing and to authorize the Board of Selectmen to enter into a long-term lease (up to 99 years) of said parcel of town-owned land, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for annual charges as shall be determined by the Board of Selectmen, said parcel being described as follows: The land located at Rear, West Street and shown as Assessors Map 38, Lot 1845, containing 15.5 acres, more or less. (Board of Selectmen)

Town Meeting Action: Moderator Declared 2/3rd Majority Passed

ARTICLE 14: To see if the Town will vote to accept as a public way the street known as Big Rock Road, plans available for viewing in the Board of Selectmen meeting room Monday thru Friday 8:00 AM – 4:00 PM, and shown on a plan entitled “Definitive Plan of Big Rock Road in Uxbridge, Mass. owned by Kent & Mary Lou Bailey” drawn by Andrews Survey & Engineering Inc. 104 Mendon Street, Uxbridge, MA as revised 8/30/94, pursuant to GLc.41 §81Y, and further to authorize the Board of Selectmen to accept utilities and easements in the road and any other necessary easements, or take any other action related thereto. (Board of Selectmen)

Town Meeting Action: No motion therefore no action

ARTICLE 15: To see if the Town will vote to amend Article 5 of the May 11, 2004 Annual Town Meeting as passed. Change the title of the line item 3 from School/Town Building Maintenance Account to School /Town Maintenance Account forthwith, or take any other action related thereto. As the Finance Committee’s recommendation is Unfavorable, it is presumed they will make no motion. (Finance Committee)

Town Meeting Action: No motion therefore no action

ARTICLE 16: To see if the Town will vote to broaden the scope of the School/Town Building Maintenance Account by remaining it the School/Town Buildings & Grounds Expenses Maintenance Account in order to accommodate funding of appropriate repairs to playfields and flagpoles, etc., or take any other action related thereto. (Town Manager)

Town Meeting Action: No motion therefore no action

ARTICLE 17: To see if the Town will vote to amend the Town of Uxbridge Zoning Map by rezoning the following parcels to “Business”: map 23 parcel 3545, 18± acres, owned by Vell Corp., now zoned “Industrial”; map 22 parcel 3283, 66± acres, owned by Town of Uxbridge and Louis Tusino now zoned “Agricultural”; and map 23 parcel 2895, 15± acres owned by Nancy Grant, now zoned “Agricultural”, or take any other action related thereto. (Board of Selectmen)

- *Motion was made to amend the Town of Uxbridge Zoning Map by rezoning the following parcel “Business”: map 23 parcel 3545, 18± acres, owned by Robert Cherrier, now zoned “Industrial”.*

**Moderator unable to determine if 2/3rd was met by voice vote*

**Town Meeting Action: Moderator Declared 2/3rd Passed by a Standing Count
(183)**

128-Yes 55-No

ARTICLE 18: Move to approve the following additions and deletions to the Animal Control bylaw as follows:

NOTE: *Shaded italicized are to be deleted.* **Bold Underlined are to be added.**

“SECTION XXIV Animal Control

3. A) **All dog owners shall comply with this subsection within 45 days of acquiring ownership, but not later than March 31st of each year.** The annual fee for dog licenses shall be \$11.00 for male and female dogs; \$7.00 for spayed and neutered dogs; and \$1.00 for a substitute tag or a transfer of license. No person shall house more than **three (3)** 3 dogs age 6 months and over on a single premises without a kennel license.
- B) **Housing of four (4)** 4 or more dogs requires a kennel license. The fee for kennel licenses shall be ~~\$30.00~~ **\$25.00** for *up to* four dogs, ~~\$40.00~~ **\$50.00** for five to ten dogs, and ~~\$50.00~~ **\$100** for more than ten dogs. It shall be a condition of the issuance of any kennel license that the animal control officer shall be permitted to inspect all animals and the premises where the animals are kept at any time in accordance with Massachusetts General Laws Chapter 140, as amended, relating dogs.
- C) ...
- D) ...
- E) ...
- F) ...
- G) **Late Fee: License fees paid to the Town after March 31st or, if mailed, postmarked after March 26th and arriving late shall be assessed a late fee of \$10.00 per assigned tag. Dogs obtained after March 1st, or less than 6 months old are exempt from this late fee.**
- H) **The Board of Selectmen may make regulations relating to the licensing and operation of kennels.**

Town Meeting Action: Moderator Declared 2/3rd Passed

ARTICLE 19: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, and/or appropriate from the Ambulance Enterprise Fund, a sum of up to \$40,000.00, for the purpose of making the Fire Chief's position a full-time position, said amount to be allocated to the FY2006 Fire Department Salary Account and associated FY2006 Town fringe benefit accounts, and to the FY2006 Ambulance Salary Account and associated Ambulance Enterprise fringe benefit accounts, as appropriate to the source of the funding. (Petition by William T. Kessler, et. al.)

- *I move to appropriate \$20,000 into the FY06 Ambulance Salary Account of the Ambulance Division, such sum to be offset by the revenues of Ambulance Division received during fiscal year 2006 into the Ambulance Enterprise Fund, and further to raise and appropriate \$12,500 into the FY2006 Fire Department Salary Account, for the purpose of making the Fire Chief position a full-time position, such funds to be spent under the direction of the Fire Chief.*

Town Meeting Action: Moderator Declared Passed

The motion was made by the Moderator to dissolve the warrant and the meeting was adjourned at 10:20P.M.

Attest:

*Holly J. Gallerani
Town Clerk*